

# BARNES & THORNBURG LLP

11 South Meridian Street  
Indianapolis, Indiana 46204  
(317) 236-1313  
(434) 220-2866 Fax

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.	23643	}	Filed Electronically on August 12, 2009
Group:	1793	}	
Confirmation No.:	3174	}	
Application No.:	10/550,439	}	
Invention:	<b>Metallic Nanoparticles As Orthopedic Biomaterial</b>	}	
Inventor:	Webster et al.	}	
Filed:	September 22, 2005	}	
Attorney Docket:	3220-100522	}	
Examiner:	Ngoclan Thi Mai	}	

### AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

**Mail Stop Amendment**  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22213-1450

Sir:

In response to the Office Action mailed May 14, 2009, applicants request consideration of the claim amendments and the remarks set forth below. Applicants believe that no fees are required with this amendment. If any fees are required, the Commissioner is hereby authorized to charge the same to the account of Barnes & Thornburg, Deposit Account No. 10-0435, with reference to our matter number 3220-100522.

**Amendments to the Specification** begin on page 2 of this paper

**Amendments to the Claims** are provided beginning on page 3 of this paper.

**Remarks** begin on page 6 of this paper.